IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.18865 of 1997

Between:

Nakka Venkayamma w/o late Venkata Swamy
R/o Bandarigudem, Manuguru
Khammam District.

..... PETITIONER

AND

1. The Executive Engineer, R& B Special Division
   Kothagudem, Khammam District.
2. The Deputy Executive Engineer, R & B
   Aswapuram, Khammam District.
3. The Asst/Junior Engineer, R & B,
   Manuguru, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ or direction more in the nature of *Writ of Mandamus* declaring the action of the Respondents in demanding the petitioner to remove her Public Telephone S.T.D. booth from the premises of 8-1-308 near Sai Ramakrishna Medical & General Stores, Main Road, Bus Stand Bandarigudem Managuru Grampanchyat Khammam District without any notice or proceedings and without following any due process of law is illegal, arbitrary high handedness and unjustified and unconstitutional and consequently direct the respondents not to insist the petitioners to remove the public Telephone S.T.D., booth from the said premises without following any due process of law in the interest of justice.

Counsel for the Petitioner: MR.CH.SRINIVAS (Not present)

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following:

ORDER:

The present writ petition is filed seeking a Mandamus to declare the action of the respondents in demanding the petitioner to remove her public Telephone-cum-S.T.D. Booth from the premises of 8-1-3-8 near
Sai Rama Krishna Medical and General Stores, Main Road, Bus Stand, Bandarigudem, Manuguru Grampanchayat, Khammam District without following due process of law as illegal and arbitrary.

When the matter is taken up today for hearing, none appears for the petitioner. Learned Government Pleader for Roads and Buildings submitted that in view of the orders dated 04.02.1998 passed by this Court in WVMP No.3040 of 1997 vacating the interim orders already granted in WPMP No.22879 of 1997, dated 20.08.1997 nothing survives in the writ petition for adjudication and the same has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 15.03.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Executive Engineer R& B Special Division
   Kothagudem, Khammam district.
2. The Deputy Executive Engineer R & B
   Aswapuram, Khammam District.
3. The Asst/Junior Engineer R & B,
   Manuguru, Khammam District.

4 Two CCs to GP for Roads and Buildings, High Court Buildings,

Hyderabad (OUT)

5 Two CD copies

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